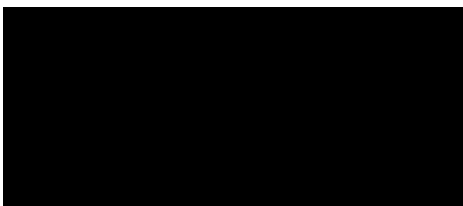


STATE OF MISSOURI
MISSOURI ETHICS COMMISSION
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JEFFERSON CITY, MISSOURI 65102

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October 16, 2008



Opinion No: 2008.10.CF.009



At the October 14, 2008 meeting of the Missouri Ethics Commission, your request for an opinion was discussed. The following is the Commission's response to your question:

What are the residency requirements for treasurers and deputy treasurers of committees registered in the State of Missouri pursuant to Section 130.021.1 RSMo?

SB 1038, effective August 28, 2008, made the following change to Section 130.021.1 RSMo, involving committee treasurers:

130.021. 1. Every committee shall have a treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state **and reside in the district or county in which the committee sits**. A committee may also have a deputy treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state **and reside in the district or county in which the committee sits**, to serve in the capacity of committee treasurer in the event the committee treasurer is unable for any reason to perform the treasurer's duties.

Pursuant to Section 130.021.1, RSMo, the treasurer and deputy treasurer of all Missouri Committees must reside in the county or district in which the committee sits. It is the Commission's opinion that this question may depend on the geographical boundaries or scope of a committee.

While there is no definition of "district" in Chapter 130, Section 115.013 (8), RSMo defines "district" as: an area within the state or within a political subdivision of the state from which a person is elected to represent the area on a policy-making body with representatives of other areas in the state or political subdivision. Sections 130.011(13) and 115.013(6), RSMo define "county" as any one of the several counties of this state or the city of St. Louis.

For committees with a statewide geographical scope, the district in which the committee sits is the entire state of Missouri. Therefore, a treasurer or deputy treasurer may reside anywhere within the state of Missouri. These would include candidate committees for candidates for statewide office, "state" political party committees as defined in Section 115.603, RSMo, **campaign** committees formed for statewide ballot measures, and continuing committees. Candidates for statewide office include candidates for Governor, Lieutenant Governor, Attorney General, State Auditor, State Treasurer, and Secretary of State.

For all other committees, the treasurer and deputy treasurer must reside in the district which encompasses the geographical boundaries of that committee, or any county which includes any portion of the district. For example, the treasurer and deputy treasurer for a candidate committee other than for statewide elective office must reside in the candidate's district, or any county which contains any portion of that district. Therefore, there may be some circumstances in which the treasurer or deputy treasurer resides in a county in which the district is located but not the actual district of the candidate.

Sincerely,



Stacey Heislen
Interim Executive Director

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NOTICE

Anyone examining this advisory opinion should be careful to note that an opinion of the Missouri Ethics Commission deals only with the specific request to which the opinion responded and only as to the law as it existed at the date of the response and cannot be relied upon for any other purpose or in any other manner.